

# Local Agency Formation Commission Of Modoc County

## Minutes

The Local Agency Formation Commission of Modoc County meets in Special Session this 21<sup>st</sup> day of September 2006 at the hour of 6:51 PM. Commissioners Present: Rod Gately, George Andreasen, Marie Neer, Dan Macsay, and Michael Dunn.

Present: John Benoit, Executive Officer.  
Chester Robertson, City of Alturas

1. Chairman Neer calls the meeting to order at 3:00 PM.
2. Approval of the Agenda (Additions and Deletions) No deletions of the agenda were made. An addition regarding a formal letter to Ms. Mickelson was placed on the agenda.
3. Correspondence: John Benoit distributed a copy of the Calafco Newsletter
4. Approval of the Minutes of August 14, 2006. Upon motion of Commissioner Anderson, seconded by Commissioner Dunn the minutes were tabled to the next LAFCO meeting.
5. Public Comment: No public comment was received.
6. Conduct workshop regarding the Status of the Sphere of Influence Updates and Municipal Service Reviews. *A Review of the work products previously received by the former Executive Officer revealed no electronic copies were received. Direction was provided to current staff to review the document and report back to the Commission with a plan to complete the MSRs*
7. Status of Pending Files. The Commission distributed an email received by Amy Mickelson regarding the status of files and requested a letter be drafted by Counsel requesting all document be returned and not to continue the working relationship with Ms. Mickelson as asserted in her email dated September 21, 2006.

With respect to item # 1 contained in the email it was determined the RCD consolidation was to be done by August 31<sup>st</sup>, 2006. Chairperson Neer made it clear there was no direction for Ms. Mickelson to continue working on this matter after conclusion of her contract,

With respect to item #2 John Benoit will finish processing this and obtain the final document from the State Board of Equalization

With respect to item #3 the commission requested the files be transmitted by certified mail.

With respect to item #4 regarding the MSR. Commission direction was that all files be turned over to LAFCO

With respect to Item #5 the commission will provide agendas to Mr. Mickelson as requested

With respect to Item #6 information regarding the Website will be requested via a formal letter from LAFCO Counsel.

8. Regarding appointment of interim Executive Officer and consider terms and conditions of agreement. Upon motion of Commissioner Dunn and seconded by Commissioner Macsay it was unanimously ordered John Benoit be appointed the Modoc LAFCO Interim Executive officer, a minute order be drafted for the Chair's signature and a contract be returned for Commission approval at the next meeting.

Terms and conditions of a Contract with John Benoit shall include initializing the contract Exhibit (Exhibit A) compensation, contract be for \$85 per hour plus expenses, \$600 per day in the County and \$400.00 per half-day.

9. Review and Authorize payment of claims.

*There were no claims authorized. John Benoit will check with the Auditor's office regarding fund balances.*

10. Direction was provided to staff regarding appointment of Legal Counsel. Staff and Commissioners to discuss this with John Kenny with the same terms and conditions as the county Contract and return this item to the next meeting for appointment of Legal Counsel pursuant to Gov. Code Section 56384 (b).

11. Direction was provided to staff regarding a Work Program for the remainder FY 2006-2007. A revision of the MSR's and Sphere Updates, policy development, finance policies and other items, as required.

12. Executive Officer's monthly report. A discussion of the Calafco annual conference was held at this time.

13. Commissioner Reports – No reports.

14. The Commission requested a letter be sent to Ms. Mickelson regarding her email of September 21, 2006.

Chairperson Neer adjourns the meeting at 8:00 PM to reconvene in Special Session on a date to be determined

Approved: \_\_\_\_\_  
Marie Neer, Chair

Attest: \_\_\_\_\_  
John Benoit, Interim Executive Officer